

# TIGARD MUNICIPAL CODE

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## 10.28.010 Definitions.

1. "Parking" or "parked," for purposes of the City motor vehicle code, means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading property or passengers, or in obedience to traffic regulations or traffic signs or signals.

2. It is unlawful for any person to park or stop any vehicle for a longer period of time than that designated by official signs, parking meters or other markings placed by or under authority of the City. "Parking time limit" includes the aggregate of time of all stopping or standing of the same vehicle on the same side of the street within a space of three hundred lineal feet measured along the curbline and between intersections; and the parking, standing or stopping of any vehicle within such expanse shall not exceed the designated time limit during any three-hour period.

3. For purposes of this chapter, the definitions of the following terms as used herein shall conform to the following ORS sections which by reference herein are made a part of this chapter:

a. "Camper" is defined as set forth in ORS Section 801.180.

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b. "Highway" or "street" is defined as set forth in ORS Section 801.305.

c. "Mobile home" is defined as set forth in ORS 801.340.

d. "Motorbus" is defined as a Commercial Bus as set forth in ORS 801.200.

e. "Motor home" is defined as set forth in ORS Section 801.350.

f. "Motor truck" is defined as set forth in ORS Section 801.355.

g. "Recreational vehicle" is defined as set forth in ORS 446.003.

h. "Trailer" is defined as set forth in ORS Section 801.560.

i. "Travel trailer" is defined as set forth in ORS Section 801.565

j. "Truck tractor" is defined as set forth in ORS Section 801.575. (Ord. 99-28, Ord. 93-21 §1, 1993; Ord. 70-41 Ch. 7, §1, 1970).

## **10.28.020 Repealed By Ord. 93-21.**

## **10.28.022 Purposes For Which Parking Is Prohibited.**

No person shall park a vehicle on the right-of-way of any highway, or upon any public street or public way within the city limits for any of the following purposes:

1. Selling or offering merchandise for sale;
2. Washing, greasing or repairing such vehicle except as may be necessitated by emergency;

3. Storage, for any period of more than twenty-four hours, except that this subsection shall be subject to the limits elsewhere prescribed in the City motor vehicle code or as may be prescribed by the Oregon State Motor Vehicle Code. It shall constitute prima facie evidence of storage of a vehicle if the same is not moved for a period of twenty-four (24) hours. The continuity of the time shall not be deemed broken by movement of the vehicle elsewhere on the block unless the movement removes the vehicle from the block where it was located before it is returned. Any vehicle mentioned in this subsection parked on the right-of-way of any highway, or upon any public street or public way within the City in violation of this subsection may be treated as an abandoned vehicle and the provisions of Chapter 7.60 shall apply. (Ord. 93-21 §3, 1993)

## **10.28.025 Vehicle Sales On Private Property.**

1. No property owner, unless in compliance with the provisions of Chapter 5.04, Business Taxes, and in further compliance with all applicable zoning codes, shall allow more than one vehicle to be displayed for sale on his or her property.

2. Violation of this section shall be a Class 1 infraction and shall be subject to the provisions of the civil infractions ordinance, Chapter 1.16 of this code. (Ord. 87-40 §1, 1987).

## **10.28.030 Truck, Trailer, Bus, Camper, Motor Home, Recreational Vehicle, And Boat Restrictions.**

1. No person shall at any time park or leave standing a motor bus, motor truck, truck tractor, motor home, boat, vehicle with camper, recreational vehicle, or trailer, as defined in ORS 801.560, whether attended or unattended, on any improved public highway, public street or other

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public way within the city limits, for a period greater than thirty (30) minutes, between the hours of one minute past twelve a.m. and six a.m.

2. A recreational vehicle or motor home may be parked on a public street longer than the period allowed in Section 10.28.030.1 if:

a. It is owned by the resident or guest of the resident of the property in front of which it is parked,

b. It is parked on the public street adjacent to the lot of the resident, and

c. It is parked on the public street no longer than ten (10) days in any calendar year.

3. Such vehicle must be parked in a manner which does not interfere with traffic or create a hazard by obstructing the view of drivers.

4. Tractor Trailer, Truck Trailer. No person shall at any time park a tractor trailer or truck trailer as described in Section 10.28.010.3 unattended on any improved public highway, public street or other public way within the city limits. (Ord. 01-23, Ord. 93-21 §4, 1993; Ord. 81-86 §1, 1981; Ord. 81-84 §1, 1981; Ord. 79-109 §1, 1979; Ord. 76-57 §1, 1976; Ord. 76-30 §1, 1976; Ord. 70-41 Ch. 7 §3, 1970).

## **10.28.040 Removal Of Parked Vehicle From Fire Area.**

Whenever the owner or driver of a vehicle discovers that such vehicle is parked immediately in front of or close to a building to which the fire department has been summoned, he shall immediately remove such vehicle from the area unless otherwise directed by police or fire officers. (Ord. 70-41 Ch. 7 §4, 1970).

## **10.28.050 Required Precautions.**

No person having control or charge of a motor vehicle shall allow it to stand on any street unattended without first fully setting its parking brakes, stopping its motor and removing the ignition key and, when standing upon any precipitous grade, the front wheels of the vehicle shall be angled into the curb. (Ord. 70-41 Ch. 7 §5, 1970).

## **10.28.060 Parallel Parking Requirements.**

No person shall stand or park a vehicle in a street other than parallel with the edge of the roadway, headed in the direction of lawful traffic movement, and with the curbside wheels of the vehicle within eighteen inches of the edge of the curb, except where the street is marked or signed for angle parking. (Ord. 70-41 Ch. 7 §6, 1970).

## **10.28.070 Space Markings.**

Where parking space markings are placed on a street, no person shall stand or park a vehicle other than at the indicated direction and within a single marked space. (Ord. 70-41 Ch. 7 §7, 1970).

## **10.28.080 S.W. Main Street Between S.W. Burnham Street And Oregon Electric Railroad Right-Of-Way.**

All parking of motor vehicles on that portion of S.W. Main Street between the intersection thereof with S.W. Burnham Street and the Oregon Electric Railroad right-of-way shall be parallel with the centerline of S.W. Main Street, and all diagonal or head-in parking is prohibited. (Ord. 70-41 Ch. 7 §8, 1970).

## **10.28.090 Two-Hour Time Limit.**

No person shall park or leave standing a vehicle of any kind or character, whether

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motorized or not, continuously in excess of two hours, except on Sundays and holidays, on the following public streets and highways, or portions thereof, during the hours herein specifically designated:

## 1. BETWEEN EIGHT A.M. AND FIVE P.M.:

a. In that portion of the southwest half of the right-of-way of S.W. Tigard Street extending from the southeast right-of-way line of S.W. Pacific Highway (99W Overpass) to the northwest right-of-way line of S.W. Main Street;

b. In that portion of the southwest half of S.W. Commercial Street extending from a point which lies forty-five feet southeasterly of the southeast right-of-way line of S.W. Main Street to a point one hundred thirty-nine feet southeasterly therefrom; and

c. In that portion of the southwest half of S.W. Commercial Street extending from a point which lies five hundred thirty five feet southeasterly of the southeast right-of-way line of S.W. Main Street to a point two hundred fifteen feet southeasterly therefrom;

d. In that portion of the northeast half of S.W. Commercial Street extending from a point which lies ninety-five feet southeasterly of the southeast right-of-way line of S.W. Main Street to a point two hundred fifty-three feet southeasterly therefrom;

e. In that portion of the northeast half of S.W. Commercial Street extending from a point which lies four hundred forty-eight feet southeasterly of the southeast right-of-way line of S.W. Main Street to a point two hundred fifty-seven feet southeasterly therefrom;

f. In that portion of S.W. Walnut Place extending from a point which lies one

hundred sixty-five feet southeasterly of the southeast right-of-way line of S.W. Pacific Highway to a point one hundred twenty feet southeasterly therefrom.

## 2. BETWEEN NINE A.M. AND SIX P.M.:

a. S.W. Main Street;

b. Repealed by Ord. 02-14.

c. The northerly half of S.W. Center Street extending northeasterly from the intersection thereof with Greenburg Road to the intersection of S.W. 87th Avenue;

d. The east side of S.W. 87th Avenue between Pacific Highway and Center Street, except any area designated as a loading zone.

e. Along the northeast side of SW Burnham Street between Main Street and a point 100 feet from the southeast curb line of Main Street.

## 3. ANYTIME:

Within the southwest half of S.W. Walnut Place beginning at a point which lies one hundred seventy-five feet along the curblin from S.W. Pacific Highway, thence extending southeasterly ninety feet therefrom. (Ord. 02-14, Ord. 99-13; Ord. 95-31; Ord. 92-27 §2, 1992; Ord. 87-05 §1, 1987; Ord. 86-45 §1, 1986; Ord. 84-03 §1, 1984; Ord. 82-75 §1, 1982; Ord. 81-87 §1, 1981; Ord. 80-65 §3(part), 1980; Ord. 79-108 §1, 1979; Ord. 79-10 §1, 1979; Ord. 77-36 §1, 1977; Ord. 77-5 §1, 1977; Ord. 76-53 §1, 1976; Ord. 70-41 Ch. 7 §9, 1970).

## 10.28.095 Twelve Hour Limit

Repealed by Ord. 02-14. (Ord. 94-15).

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## **10.28.110 Fifteen-Minute Time Limit.**

1. No person shall park or leave standing a vehicle of any kind or character, whether motorized or not, and whether attended or unattended, for a period of longer than fifteen minutes between the hours of nine a.m. and six p.m., except Sundays and holidays, in any area designated as a fifteen-minute parking zone.

2. The City Engineer shall establish fifteen-minute parking zones to include no more than twenty parking spaces on SW Main Street. In selecting the locations for the fifteen-minute parking zones, the City Engineer shall consult with the owners of businesses along Main Street. The fifteen-minute time limit shall become effective upon installation of appropriate signing designating the parking spaces where the time limit applies. (Ord. 95-30; Ord. 86-59 §1, 1986; Ord. 71-33 §1 1971; Ord. 70-41 Ch. 7 §§10 12, 12A, 1970).

## **10.28.120 Sunday Restrictions.**

No person shall park a motor vehicle of any kind or character between the hours of six a.m. and twelve noon, on Sundays, according to Pacific Standard Time or Pacific Daylight Time as may be then in effect, on the following defined portions of public streets in the City:

1. The westerly side of S.W. Grant Street extending from the intersection thereof with S.W. Johnson Street to the intersection thereof with S.W. Walnut Avenue;

2. The southerly side of S.W. McKenzie Street extending from the intersection thereof with S.W. Grant Street to the intersection thereof with S.W. Pacific Highway (99-W). (Ord. 70-41 Ch. 7 §13, 1970).

## **10.28.125 Specified Period Restrictions.**

No person shall park a motor vehicle of any kind or character between the hours specified on the following defined portions of public streets in the City:

1. Repealed by Ord. 02-14.

2. Between the hours of eight a.m. and five p.m. within the northwesterly half of the right-of-way of S.W. Grant Avenue from the intersection thereof with S.W. Walnut Street, southwesterly, to the end of the roadway at Charles F. Tigard School grounds;

3. Between the hours of seven a.m. and six p.m. within the right-of-way of S.W. Garrett Street from the intersection thereof with S.W. Pacific Highway southeasterly four hundred feet, excepting therefrom the southwesterly two hundred fifty feet;

4. Between the hours of seven a.m. and six p.m., except Saturday and Sunday, within the right-of-way of S.W. Garrett Street between Cresmer Drive and a point four hundred feet southeasterly from Pacific Highway, except along the southwest side of Garrett Street within two hundred forty feet of Cresmer Drive.

5. Between the hours of eight p.m. and six a.m., no person shall at any time park or leave standing a vehicle of any kind or character, whether motorized or not, and whether attended or unattended, within any portion of the right-of-way of SW Milton Court beginning at the north right-of-way line of Bonita Road and extending northerly the full length of the street up to and including the cul-de-sac at the end of the street. (Ord. 02-14, Ord. 98-23; 90-12 §1, 1990; Ord. 84-68 §1, 1984; Ord. 83-18 §1, 1983; Ord. 74-44 §2, 1974).

## **10.28.130 Prohibited At Any Time.**

No person shall at any time park or leave

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standing a vehicle of any kind or character, whether motorized or not, and whether attended or unattended, within the following defined portions of public streets and highways within the City:

1. Within the improved portion of the right-of-way as bounded by the curb lines, on each side of S.W. Pacific Highway (99-W), extending from the intersection of the centerline of S.W. Bull Mountain Road and the same extended to the southeasterly right-of-way line of S.W. Pacific Highway, northeasterly to the northeasterly city limits, being an extension of the easterly line of that tract of land deeded to Max R. Reed and recorded in Book 611, page 286, Deed Records, Washington County, Oregon; except that there is authorized and designated as a limited parking area, two parking spaces along the northwesterly curb parallel to the southwesterly lanes of travel, for vehicular parking purposes limited to any continuous period of not to exceed fifteen minutes, extending from a point southwest along the curblines twenty feet from a point opposite the most easterly corner of the Charles F. Tigard Schoolhouse site, southwesterly forty feet, the boundaries of said spaces being delineated by painted markings;

2. Within the following described portions of the right-of-way of S.W. Hall Boulevard:

a. Repealed by Ord. 80-65.

b. Within that portion of the right-of-way of S.W. Hall Boulevard, extending from the intersection thereof with the Oregon Electric Railroad tracks (Southern Pacific) southeasterly to the intersection thereof with the center of Fanno Creek;

3. Within the east half of the right-of-way of S.W. Hall Boulevard, within four hundred thirty-five feet northerly of the intersection of the east right-of-way line of S.W. Hall Boulevard with the north right-of-way line of S.W. Pacific

Highway (99-W);

4. Repealed by Ord. 80-65.

5. Within the west half of the right-of-way of S.W. Hall Boulevard, within seven hundred twenty-four feet northerly of the intersection of the west right-of-way line of S.W. Hall Boulevard with the north right-of-way line of S.W. Pacific Highway (99-W);

6. Repealed by Ord. 02-14;

7. Repealed by Ord. 02-14;

8. Within the right-of-way of S.W. Commercial Street extending from the westerly right-of-way of S.W. Hall Boulevard on the north side northwesterly one hundred feet, and on the south side northwesterly one hundred seventy feet;

9. Within the easterly half of the right-of-way of S.W. Electric Street, within one hundred feet northerly of the intersection of the easterly right-of-way line of S.W. Electric Street with the northerly right-of-way line of S.W. Main Street;

10. Within the north half of the right-of-way of S.W. Pinebrook Street, within one hundred eleven feet westerly of the intersection of the west right-of-way line of S.W. Hall Boulevard with the north right-of-way line of S.W. Pinebrook Street;

11. Within the southeasterly half of S.W. Main Street from the intersection thereof with the northeasterly line of S.W. Scoffins Street, northeasterly to the intersection thereof with S.W. Pacific Highway right-of-way;

12. Within the northwesterly half of that portion of S.W. Main Street from its intersection on the west and thereof with S.W. Pacific Highway, northeasterly two hundred thirty feet;

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13. Within the right-of-way of S.W. Walnut Street, extending from the intersection thereof with S.W. Pacific Highway (99-W) northwesterly to Tiedeman Avenue;

14. Within the curblines on each side of S.W. Sandberg Street, including the cul-de-sac;

15. Repealed by Ord. 02-14;

16. On the southwesterly one-half of S.W. Frewing beginning at a point five hundred feet southeasterly of Pacific Highway and extending thence southeasterly a distance of two hundred feet;

17. On the southeasterly one-half of Grant Street beginning at the right-of-way line of Walnut Street and extending thence southwesterly to the end of the street at the Charles F. Tigard elementary school grounds;

18. On the south one-half of Scott Court beginning at the right-of-way line of S.W. 98th Avenue and extending thence westerly two hundred eighty-three feet;

19. On the northeast one-half of S.W. Commercial Street beginning at the southeast right-of-way line of S.W. Main Street and extending thence southeast ninety-five feet;

20. On S.W. Hunziker Street extending from the intersection thereof with S.W. Hall Boulevard southeasterly approximately two thousand eight hundred fifty-three feet;

21. Within the right-of-way of S.W. 69th Avenue, extending from the intersection thereof with the south right-of-way of S.W. Pacific Highway to the intersection thereof with the north right-of-way line of S.W. Dartmouth Street;

22. On the northerly one-half of S.W. Walnut Street beginning at the westerly edge of

the driveway entrance to Fowler Junior High School and extending westerly to a point four hundred and ninety feet from said driveway;

23. Within the southwest half of the right-of-way of S.W. Commercial Street, within forty-five feet southeasterly of the southeast right-of-way line of S.W. Main Street;

24. Within the curblines on each side of S.W. Lomita Street, beginning at a point in the centerline thereof, which point lies two hundred feet east of the east right-of-way line of S.W. 90th Avenue, and running thence easterly and northerly a distance of one hundred sixty feet therealong;

25. Within the southeasterly half of S.W. Grant Avenue, beginning at the northeast right-of-way line of S.W. Walnut Street and extending northeasterly to the southwest right-of-way line of S.W. Tigard Street;

26. Repealed by Ord. 02-14;

27. Within the right-of-way of S.W. 68th Parkway, extending from the intersection thereof with the south right-of-way line of S.W. Irving Street to the intersection thereof with the west right-of-way line of S.W. 66th Avenue;

28. Within the northwesterly half of the right-of-way of S.W. Main Street, within four hundred ninety-seven feet southwest of the southeast right-of-way line of S.W. Pacific Highway;

29. Within the southeasterly half of the right-of-way of S.W. Boones Ferry Road, beginning at the intersection of the west right-of-way line of Interstate No. 5 with the southeast right-of-way line of S.W. Boones Ferry Road and extending southwesterly a distance of two hundred seventy feet therefrom;

30. Within the right-of-way of S.W.

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Scoffins Street, extending from the intersection thereof with S.W. Main Street, southeasterly to S.W. Hall Boulevard;

31. Repealed by Ord. 02-14;

32. Along both sides of S.W. 121st Avenue between Scholls Ferry Road and Burlheights Drive;

33. Within the right-of-way of S.W. Summerfield Drive, extending from the intersection thereof with the north right-of-way line of S.W. Durham Road to the intersection thereof with the west right-of-way line of S.W. 98th Avenue; except that there is authorized and designated an unrestricted (time) vehicular parking area commencing at the west right-of-way line of S.W. Century Oak Drive running westerly a distance of three hundred feet along the south curb of S.W. Summerfield Drive;

34. In the southeasterly one-half of S.W. Main Street, extending southwesterly one hundred fifteen feet from the intersection of the southwest right-of-way line of S.W. Scoffins Street with the southeast right-of-way line of S.W. Main Street;

35. Along both sides of SW 72nd Avenue between the Beaverton-Tigard Highway (State Highway 217) and the south city limits;

36. Repealed by Ord 02-14;

37. Within the right-of-way of S.W. 112th Avenue, extending southerly from S.W. Gaarde Street to the frontage road along S.W. Pacific Highway;

38. Repealed by Ord. 02-14;

39. Upon or within any delineated bicycle and/or pedestrian path(s) or lanes;

40. Within the paved portions of SW 72nd

Avenue between Pacific Highway and the Beaverton-Tigard Highway (State Highway 217);

41. Along both sides of S.W. Greenburg Road between Pacific Highway and Shady Lane;

42. Within the right-of-way of S.W. 110th Avenue, beginning at a point one hundred six feet northerly of the north right-of-way line of S.W. Gaarde Street and extending thence two hundred seventy feet northerly;

43. On southwest Gaarde Street from Pacific Highway to 112th Avenue, except for that portion of the north half of Gaarde Street beginning at a point eighty feet east of the east curbline of 110th Avenue and extending to a point one hundred ninety feet east of the east curbline of 110th Avenue, measured along the north curbline of Gaarde Street;

44. Within the northeasterly half of the right-of-way of S.W. Canterbury Lane, extending from the intersection thereof with S.W. Pacific Highway, southeasterly a distance of seventy-five feet therefrom;

45. Within the right-of-way of S.W. Fir Street, extending from the intersection thereof with S.W. 72nd Avenue, easterly to S.W. Fir Loop;

46. Within the right-of-way of S.W. Fir Loop, being all that portion thereof lying easterly of S.W. Fir Street;

47. Within the right-of-way of S.W. Hall Boulevard extending from the intersection thereof with S.W. Pacific Highway (99-W) southerly to a point which lies two hundred feet south of the centerline of S.W. Scoffins Street;

48. Within the right-of-way of S.W. 70th Avenue, extending from the intersection thereof with S.W. Hampton Street, southerly to the



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terminus thereof;

49. Within the northerly half of S.W. Walnut Place; also, within the southwest half of S.W. Walnut Place beginning at S.W. Pacific and, thence, extending a distance of one hundred seventy-five feet southeasterly along the curblines;

50. Within a portion of the right-of-way of S.W. Hampton Street being all that portion thereof lying between S.W. 72nd Avenue and S.W. 66th Avenue;

51. Repealed by Ordinance 98-09;

52. Repealed by Ordinance 98-09;

53. Within the southeast half of the most southerly end of S.W. Main Street, beginning at the intersection of the southeast curblines of S.W. Pacific Highway and S.W. Main Street and extending seventy-five feet along the Main Street curblines to a point; also, therein, beginning at a point on the Main Street curblines which lies two hundred five feet from said intersecting curblines and extending thirty feet therealong to a point;

54. Within the westerly half of the right-of-way of 115th Avenue extending from the intersection with S.W. Gaarde Street northerly to the intersection of S.W. Fonner Street;

55. Within the northwesterly right-of-way of S.W. McKenzie Street from a point twenty feet southeasterly from the intersection of the centerlines at S.W. McKenzie St., and S.W. Grant St., to a point ninety feet southeasterly of the centerline intersection;

56. On the northwesterly half of S.W. Ash Avenue beginning at the northeast right-of-way line of S.W. Commercial Street and extending thence northeasterly one hundred thirty-eight feet.

57. Within the curblines on each side of

S.W. Genesis Loop, extending from the most southerly intersection thereof with S.W. 115th Avenue easterly a distance of one hundred sixty-five feet;

58. Along both sides of S.W. Durham Road between Hall Boulevard and Pacific Highway;

59. Repealed by Ord. 95-32;

60. Within the west half of the right-of-way of S.W. 92nd Avenue, beginning at the intersection thereof with the south right-of-way line of S.W. Durham Road; thence, extending southerly one thousand four hundred fifty feet;

61. Within the right-of-way of S.W. 92nd Avenue, beginning at a point which lies one thousand four hundred fifty feet southerly of the south right-of-way line of S.W. Durham Road; thence, extending southerly one thousand one hundred ninety feet; excepting therefrom the south six hundred eighty feet of the west half thereof;

62. Along the east side of S.W. 85th Avenue from Durham Road to a point four hundred fifty feet south of the south curblines of Durham Road;

63. On S.W. Varns Street from S.W. 72nd Avenue to a point one hundred twenty-five feet west of the west curblines of 72nd Avenue;

64. On S.W. Watkins Avenue from S.W. Pacific Highway to a point seventy-five feet west of the west curblines of Pacific Highway;

65. Along the north side of S.W. Burnham Street from Hall Boulevard to a point six hundred seventy-five feet west of the west curblines of Hall boulevard, measured along the north curblines of Burnham Street;

66. On S.W. 69th Avenue from Pacific Highway to a point one hundred fifty feet north of the north curblines of Pacific Highway, measured

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along the east curbline of 69th Avenue;

67. Along the south side of S.W. Locust Street between Greenburg Road and 93rd Avenue;

68. Along the south side of Spruce Street between a point one hundred feet east of the extended centerline of S.W. 72nd Avenue and a point 100 feet west of the extended centerline of S.W. 72nd Avenue;

69. Along both sides of S.W. 135th Avenue between Scholls Ferry Road and Morning Hill Drive;

70. Along both sides of S.W. Nimbus Avenue between Scholls Ferry Road and a point two hundred forty feet south of the south curbline of Scholls Ferry Road;

71. Along both sides of S.W. Bonita Road between Hall Boulevard and S.W. 83rd Court;

72. Along both sides of S.W. Bonita Road between 83rd Court and Fanno Creek;

73. Repealed by Ord. 02-14;

74. Along the north side of Canterbury Lane between Pacific Highway and S.W. 106th Avenue;

75. Along the north side of Benchview Terrace between S.W. 132nd Avenue and the west boundary of Benchview Estates subdivision as recorded in Book 66, page 38, of the plat records of Washington County;

76. Along both sides of S.W. McDonald Street between Hall Boulevard and 93rd Avenue;

77. Repealed by Ord. 95-17.

78. Along the west side of S.W. 108th Avenue from Chateau Lane to a point two

hundred thirty-three feet south of the centerline of Chateau Lane until such time as 108th Avenue is improved in this location to full minor collector standards. At the time that the street is improved, the effect of the ordinance codified in this subsection (78) shall cease;

79. Along portions of S.W. Fir Street between S.W. 72nd Avenue and the street terminus west of 74th Avenue, as follows: along the entire south side of the street; along the north side of the street within sixty feet of the west curbline of S.W. 72nd Avenue; and along the north side of the street west of a point which is sixty feet west of the centerline of S.W. 74th Avenue;

80. Along both sides of S.W. North Dakota Street between S.W. Tiedeman Avenue and S.W. 115th Avenue.

81. Along both sides of SW Dartmouth Street between SW 68th Parkway and SW Pacific Highway.

82. Along the west side of SW 108th Avenue between Durham Road and a point 145 feet north of the centerline of Chateau Lane.

83. Along the west side of SW 109th Avenue beginning at the start of a curve approximately 260 feet south of the south curb line of Canterbury Lane and continuing south a distance of 285 feet measured along the west curb of SW 109th Avenue.

84. Along the east side of SW 109th Avenue beginning at the start of a curve approximately 260 feet south of the south curb line of Canterbury Lane and continuing south a distance of 125 feet measured along the east curb of SW 109th Avenue.

85. Along the south side of Canterbury Lane from Pacific Highway to a point 200 feet east of

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the east curb line of Pacific Highway;

86. On both sides of SW Durham Road between SW 72nd Avenue and Upper Boones Ferry Road;

87. On both sides of SW North Dakota Street between Scholls Ferry Road and Springwood Drive;

88. On SW 70th Avenue between Beveland Street and Franklin Street;

89. Along the southwest side of SW Commercial Street beginning at a point 250 feet southeast of the southeast curb of Main Street and continuing to a point 510 feet southeast of the southeast curb of Main Street;

90. On both sides of SW Walnut Street between the south leg of 135th Avenue and SW Scholls Ferry Road;

91. On both sides of SW Royalty Parkway between Pacific Highway and Naeve Street.

92. Any portion of the right-of-way of SW 76th Avenue beginning at the south right-of-way line of Bonita Road and extending southerly 482 feet.

93. Within the northeast half of SW Commercial Street beginning at a point three hundred forty eight feet southeast of the southeast right-of-way line of SW Main Street and continuing to a point four hundred forty eight feet southeast of Main Street. (Ord. 02-14, Ord. 99-12; Ord. 99-11; Ord. 98-23; Ord. 98-09; Ord. 96-01; Ord. 95-32; Ord. 95-25; Ord. 95-23; Ord. 95-17; Ord. 95-07; Ord. 95-06; Ord. 94-22; Ord. 93-27 §§1, 2, 1993; Ord. 93-26 §1, 1993; Ord. 92-28 §1, 1992; Ord. 92-17 §1, 1992; Ord. 92-11 §1, 1992; Ord. 91-29 §1, 1991; Ord. 91-25 §1, 1991; Ord. 91-24 §1, 1991; Ord. 91-23 §1, 1991; Ord. 91-09 §1, 1991; Ord. 90-42 §1, 1990; Ord. 90-36

§1, 1990; Ord. 90-35 §1, 1990; Ord. 90-34 §1, 1990; Ord. 90-33 §1, 1990; Ord. 90-32 §1, 1990; Ord. 90-31 §1, 1990; Ord. 89-12 §1, 1989; Ord. 88-30 §1, 1988; Ord. 88-05 §1, 1988; Ord. 88-04 §1, 1988; Ord. 87-53 §1, 1987; Ord. 87-46 §1, 1987; Ord. 86-67 §1, 1987; Ord. 87-06 §1, 1987; Ord. 86-55 §1, 1986; Ord. 86-54 §1, 1986; Ord. 86-45A §1, 1986; Ord. 86-13 §1, 1986; Ord. 86-04 §1, 1986; Ord. 84-53 §1, 1984; Ord. 83-50 §1, 1983; Ord. 83-46 §1, 1983; Ord. 83-29 §1, 1983; Ord. 83-28 §1, 1983; Ord. 82-82 §1, 1982; Ord. 82-76 §1, 1982; Ord. 81-80 §1, 1981; Ord. 81-57 §1, 1981; Ord. 81-46 §1, 1981; Ord. 80-65 §§1, 3(part), 1980; Ord. 79-60 §1, 1979; Ord. 79-107 §1, 1979; Ord. 79-113 §1, 1979; Ord. 79-114 §1, 1979; Ord. 79-39 §1, 1979; Ord. 79-9 §1, 1979; Ord. 78-45 §1, 1978; Ord. 78-68 §1, 1979; Ord. 78-39 §1, 1979; Ord. 78-38 §1, 1977; Ord. 77-93 §1, 1977; Ord. 77-92 §1, 1977; Ord. 77-78 §1, 1977; Ord. 77-77 §1, 1977; Ord. 77-73 §1, 1977; Ord. 77-61 §1, 1977; Ord. 77-40 §1, 1977; Ord. 77-39 §1, 1977; Ord. 77-36 §2, 1977; Ord. 77-6 §1, 1977; Ord. 76-56 §1, 1976; Ord. 76-38 §1, 1976; Ord. 76-33 §1, 1976; Ord. 76-31 §1, 1976; Ord. 76-20 §1, 1976; Ord. 76-8 §1, 1976; Ord. 76-7 §1, 1976; Ord. 76-6 §1, 1976; Ord. 75-47 §1, 1975; Ord. 75-38 §1, 1975; Ord. 75-34 §1, 1975; Ord. 75-51 §1, 1975; Ord. 74-44 §1, 1974; Ord. 71-32 §1, 1971; Ord. 70-41 Ch. 7 §14, 1970).

## **10.28.135      Parking Prohibited Eight A.M. To Six P.M.**

No person shall park or leave standing a vehicle of any kind or character, whether motorized or not, between the hours of eight a.m. and six p.m. on any day of the week, including Saturday and Sunday, on the southerly one-half of the following portion of S.W. Johnson Street, in the City of Tigard, Oregon:

That portion of the southerly one-half of S.W. Johnson Street lying westerly of and within four hundred feet of the northwesterly right-of-way line of S.W. Pacific Highway. (Ord. 75-19

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§1, 1975).

## **10.28.136 Loading Zones--Authority To Establish.**

1. The City Council may establish loading zones along any street for the purpose of permitting the loading and unloading of merchandise and persons. The action of the City Council establishing such loading zones must be taken by ordinance. In establishing loading zones the City Council shall give consideration to the volume and nature of business within the area under consideration, the traffic demands upon the street in question, the nature of the need of the adjacent business or businesses and of the needs of other businesses within the immediate area, the width and surface of the street, and any other relevant information. In establishing loading zones, the City Council may limit the applicability of the loading zone restriction to certain hours of the day or night. The characterization of the loading zone as an area of restricted parking shall be indicated by the placement of signs which shall indicate clearly the area affected, and which shall state the hours of the day during which the "loading zone" restricted applies.

2. Loading zones shall be reserved for use by commercial vehicle in loading and unloading persons and commodities during the hours designated on all days except Sundays and holidays. No person shall stop, stand or park any vehicle other than a commercial vehicle within the designated area between such hours, except that noncommercial vehicles may use such zones while actually engaged in the loading or unloading of persons or commodities, but noncommercial vehicles shall upon demand give way to commercial vehicles whose drivers desire to use the zone for loading or unloading purposes. Commercial vehicles using loading zones shall be entitled to the use of a loading zone only during such time as may reasonably be necessary for the loading and unloading of persons and materials

and for so long as such activity actually continues. Loading zones shall not be used by employees of the business or businesses for the benefit of which they were established, for any purpose except the continuous loading or unloading of persons or materials.

3. At all times other than those times designated in the ordinance establishing a particular loading zone, such zones shall be available for general use under the parking regulations applicable to the district in which they are located.

4. The City Council shall consider creation of loading zones upon application by any resident or property owner, and if, after consideration of the factors identified in subsection 10.28.136.1 above, the City Council determines that a loading zone should be created, it shall create such loading zone by ordinance, and direct that the loading zone so established be marked by appropriate signs. The City shall procure appropriate signs and cause them to be installed. The applicant shall pay the City the cost of the necessary signs and poles and the cost of the labor necessary to install them, and installation shall not be made before such payment. (Ord. 76-10 §1, 1976).

## **10.28.137 Loading Zones--Designated.**

The following portions of public streets within the City of Tigard are designated as loading zones for the hours indicated:

1. Repealed by Ord. 95-20;

2. Within the easterly half of S.W. 87th Avenue, beginning at a point thirty feet southerly of an easterly extension of the south boundary line of S.W. Center Street and, thence, running southerly sixty feet. The described zone is designated as a loading zone between the hours of nine a.m. to three p.m., Saturdays, Sundays and

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holidays excluded;

3. Repealed by Ord. 95-20. (Ord. 95-20; Ord. 92-27 §1, 1992; Ord. 86-60 §1, 1986; Ord. 86-14 §1, 1986; Ord. 81-90 §1, 1981; Ord. 76-10 §2, 1976).

## **10.28.138 Construction Zones And Temporary Loading Zones.**

1. Provision for Permits. Any person who finds it necessary to park a motor vehicle for actual construction or maintenance work or who finds it necessary to block off a parking space or spaces along the curb in a zone in which parking is controlled, shall be entitled to a construction zone permit. Any person who finds it necessary in connection with the conduct of a commercial enterprise or in the construction of a building, to park a motor vehicle or to block off a parking space or spaces along the curb for such work shall be entitled to a temporary loading zone permit. Application for a construction zone permit or a temporary loading zone permit shall be made in writing to the Chief of Police upon a form to be provided by him showing such information as he may request. The Chief of Police shall make such investigation as he deems necessary and, if he is satisfied that the applicant has a reasonable need for the permit, the Chief of Police shall issue a construction zone permit or a temporary loading zone permit.

2. Term of Permit. The term of a permit issued by the Chief of Police pursuant to subsection 110.28.138.1 above shall be established by the Chief of Police and entered upon the permit but in no event shall a permit be issued for a period to exceed one year.

3. Fees. The fee for a construction zone permit or a temporary loading zone permit shall be twenty-four dollars for one year or two dollars for each month or portion of a month for periods of less than one year. The fee shall be paid to the

Chief of Police at the time of application. In the event the need for the permit terminates before the end of the term allowed by the permit as issued, the applicant shall be entitled to a refund in the amount of the charge that would have been made for the unused term of the permit.

4. Display of Permit. Before any person shall use a parking space in such a way as to require the issuance of a construction zone or temporary loading zone permit he shall obtain the construction permit or temporary loading zone permit, and at all such times as the vehicle or vehicles shall be parked in the place authorized by such a permit, the permit shall be displayed in such a way as to permit one observing the vehicle from the outside to read it. If the vehicle is equipped with a sunvisor above or beside the windshield on the driver's side, the permit shall be displayed on the sunvisor, which shall be turned down so as to expose the permit toward the outside of the vehicle.

5. The purpose of this section is to permit use of the public streets for parking in circumstances in which parking would otherwise be prohibited or limited as to time pursuant to the ordinances of the City of Tigard. (Ord. 78-75 §2, 1978).

## **10.28.140 Violation--Mode of charging defendant.**

1. In all prosecutions for violation of city motor vehicle parking laws, it shall be sufficient to charge the defendant by an unsworn written notice if the same clearly states:

- a. The date, place and nature of the charge;
- b. The time and place for defendant's appearance in Court;
- c. The name of the arresting officer;

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d. The license number of the vehicle.

2. The notice provided for in subsection 10.28.140.1 of this section shall either be delivered to the defendant or placed in a conspicuous place upon the vehicle involved in the violation. The notice shall serve as the complaint in the case. In all other respects the procedure now provided by law in such cases shall be followed. (Ord. 70-41 Ch. 7 §15, 1970).

## **10.28.150 Violation--Penalty.**

Any violation of the provisions of any section of this chapter or any rule or regulation therein stated, shall, upon conviction, be punishable by a fine of not more than one hundred dollars for each violation. (Ord. 70-41 Ch. 7 §30, 1970).

## **10.28.160 Authority To Impound Improperly Parked Vehicles.**

1. When any unattended vehicle is parked upon any street, alley or public way of the City of Tigard in such a manner that it is unlawfully parked in any prohibited or restricted area; or is unlawfully parked for a length of time prohibited by ordinance or resolution of this city; or is parked in such a position that it constitutes an obstruction to traffic or creates a danger to travel upon the street, alley or public way; or is found abandoned in any street, alley or public way; or in the event that an operator of a vehicle is arrested and placed in custody and is not in condition to drive the vehicle to a place of safety and there is no other person present who may properly act as agent for such operator to drive the vehicle to a place of safety, such vehicle is declared to be a public nuisance and subject to summary abatement, removal and impounding.

2. Both the owner and the operator of a vehicle impounded pursuant to subsection 10.28.160.1 of this section shall be legally

responsible for payment of the costs of towing and storage. The towing and storage charges shall be established in advance, pursuant to an agreement between the police department of the City of Tigard and the towing and storage firm or firms called upon to conduct such business. No charges in excess of those previously agreed upon shall be levied against the owner or operator of a vehicle towed pursuant to subsection 10.28.160.1 of this section.

3. The towing service called upon to impound a vehicle and finding the owner or driver thereof present shall release the vehicle upon the presentation of proper identification of the owner or operator, and upon the owner or operator's signing an authorized receipt in duplicate (except where exclusive orders are given by the police department that the vehicle be impounded), and a service charge not to exceed one-half of the cost for the towing of the vehicle shall be made, that charge to be paid by the owner or operator. The duplicate signed receipt shall be given to the operator or owner of the vehicle, and the original signed copy shall be recorded by the towing service in its ledger of releases. (Ord. 77-98 §1, 1977).

## **10.28.170 Parking Prohibited In Specified Places.**

It is unlawful for the driver of a vehicle to stop or park the vehicle, whether attended or unattended, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control signal, in any of the following places:

1. Within an intersection;

2. On a crosswalk;

3. Within fifty feet of any uncontrolled intersection or any intersection controlled with side-mounted stop signs, side-mounted yield

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signs, or side-mounted signals, except:

a. One one-way streets leaving an intersection;

b. On streets otherwise signed if:

(1) The vehicle is over six feet in height, or

(2) The vehicle is less than six feet in height but by manufacture or modification, obscures the vision of:

(a) Any official side-mounted traffic control sign or signal,

(b) Intersection traffic, or

(c) Any pedestrian in a crosswalk;

(3) Vehicles described in 10.28.170.3.b above include, but are not limited to, the following:

(a) Vehicles with darkened, shaded or curtained windows,

(b) Vehicles modified to eliminate side window(s) and/or rear windows,

(c) Vehicles with visibility through windows blocked by parcels, packages or freight,

(d) Pickup vehicles of less than six feet in height but mounted with a canopy or camper with limited visibility through it,

(e) Panel trucks (except those with windows on both sides of the rear portion of the truck, and also on the back of the truck);

(4) An uncontrolled intersection is

one where there are no traffic-regulating signs or signals.

4. Any other vehicle not identified in subsection 3. above, within twenty-five feet from the intersection of curb lines, or if none, then within fifteen feet of the intersection of property lines at an intersection within a business or residence district;

5. Within fifteen feet of the driveway entrance to any fire station;

6. Within ten feet of a fire hydrant, save and except taxicabs occupying properly signed taxi zones;

7. In front of a private driveway;

8. On a sidewalk or parking strip;

9. On the roadway side of any vehicle stopped or parked at the edge of a street or highway;

10. At any place where official signs, curb paint, or markings have been installed prohibiting standing, stopping or parking; provided, however, driver-attended private passenger motor vehicles, taxicabs or other public conveyances may stop for not more than thirty seconds in such a tow-away zone for the purposes of loading and unloading passengers;

11. In front of the entrance of any post office or other place where mail is received; or within ten feet of a mailbox during the hours of eight a.m. to four-thirty p.m. in any residential area;

12. In any street, alley or lane, so as to prevent the free passage of other vehicles in both directions at the same time (except on one-way streets), or so as to prevent any vehicle from turning from one street into another;

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13. In any street, alley or lane, in lieu of offstreet parking, for a period longer than forty-eight hours;

14. In any emergency zone;

15. In any loading zone, except as to a commercial vehicle when actually engaged in loading or unloading goods, wares, merchandise or materials, for a period not exceeding twenty minutes; and as taxicabs when loading or unloading passengers or merchandise, for a period of time not exceeding two minutes;

16. In a bus loading zone, except a motor bus or taxicab actually engaged in loading or unloading passengers or merchandise for a period not exceeding two minutes;

17. In any construction zone, except by such vehicles as are actually necessary to the construction work being carried on;

18. On City-owned or City-operated property designated for use for motor vehicle parking by authorized City personnel only, without the consent of the City, if there is in plain view on such property a sign prohibiting public parking or restricting parking;

19. Within any city park or part thereof, during the time the park, or the relevant part of it, is closed to the public. (Ord. 87-70 §1, 1987; Ord. 78-76, 1978).

## **10.28.175 Residential Parking Zones.**

1. The City Council, pursuant to TMC Section 10.32.010 may establish residential parking zones. The purpose of residential parking zones is to prohibit parking by nonresidents during specific time periods within specific geographic areas used predominantly for residential purposes. The City Council resolution which establishes the residential parking zone

shall clearly define the geographic limits of the area affected by the zone and the hours during which the parking by nonresidents will be prohibited. Residents within the parking zones may obtain a permit from the City Manager pursuant to subsection 10.28.175.2 of this section to allow for the parking of vehicles within the zone during the restricted hours.

2. The City Manager shall establish procedures and standards for the issuance of permanent and temporary permits to residents that will allow the residents and their guests to park their vehicles within residential parking zones during the restricted hours. At a minimum, the City Manager shall establish rules which establish the criteria for issuance, surrender and revocation of permits, evidence of proof of residence and vehicle ownership, terms of the permit, standards for display of the permit, and allow for the issuance of temporary permits to residents for the parking of nonresident vehicles for temporary periods upon a showing of reasonable need for such permits.

3. The City Manager shall cause to be installed and maintained, pursuant to TMC 10.32.020, official signs for residential parking zones which clearly identify the parking restrictions for nonresidents and the exception to those restrictions for permit holders within the residential parking zones.

4. It shall be unlawful for any person to:

a. Provide false information in connection with an application for a permanent or temporary permit;

b. Fail to surrender a permit, when requested to do so, when the person is no longer entitled to the permit;

c. Use a permit when the permit holder is no longer entitled to the permit;



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d. Use, or allow the use of a permit in conjunction with a vehicle other than the vehicle for which the permit was issued;

e. Use, or allow the use of a temporary permit in a manner inconsistent with the terms and limitations of the permit.

5. The City Manager is authorized to revoke any permit when the permit holder is found to be in violation of the provisions of this section, and, upon written notification thereof, the permit holder shall surrender the permit to the City Manager. Failure to do so shall constitute a violation of this section. (Ord. 03-08, Ord. 91-26 §1, 1991).

## **10.28.180 Definitions For Sections 10.28.190 Through 10.28.210.**

As used in Sections 10.28.190 through 10.28.210 unless the context requires otherwise:

1. "Disabled parking space" means a parking space that is on private or public property and is marked or signed to provide parking for disabled persons.

2. "Disabled person" means a person who permanently suffers from any of the following disabilities:

a. Loss or loss of function of one or both legs or significant limitation in the use of the legs;

b. Inability to be mobile without the use of a wheelchair or other assistance device;

c. Loss or loss of function of both hands;

d. Loss of vision or substantial loss of visual acuity or visual field beyond correction;

e. Respiratory disability that makes use of walking as a means of transportation impossible or impractical; or

f. Cardiovascular disability that makes use of walking as a means of transportation impossible or impractical.

3. "Government building" and "public building" have the meanings given those terms in ORS 447.210.

4. "Marked motor vehicle" means a motor vehicle conspicuously displaying the decal, insignia or plates issued under the provisions of ORS 487.925. (Ord. 80-58 §1, 1980).

## **10.28.190 Application Of Parking Regulations To Disabled Persons.**

A disabled person may:

1. Park a marked motor vehicle in any public parking zone restricted as to the length of time parking is permitted therein without incurring the penalties imposed for overtime parking in such zones; and

2. Park a marked motor vehicle in any public parking zone with metered parking without being required to pay any parking meter fee.

3. The provisions of subsection 1. of this section do not apply:

a. To parking in zones where stopping, parking or standing of all motor vehicles is prohibited;

b. To late evening or overnight parking where such parking is prohibited;

c. To parking in zones reserved for special types of motor vehicles or activities; or

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d. To parking in zones where parking is permitted only for thirty minutes or less.

4. A person who is not disabled as defined in Section 10.28.180, and who exercises the privileges granted a disabled person under this section, commits a parking violation as provided in Section 10.28.150. (Ord. 80-58 §2, 1980).

## **10.28.200      Parking In Space Reserved For Disabled Persons Prohibited-- Exceptions.**

1. Except as provided in subsection 10.28.200.2 of this section, no person shall park a vehicle that is not a marked motor vehicle in a disabled parking space.

2. Subsection 10.28.200.1 of this section does not apply:

a. To a vehicle that is momentarily in a disabled parking space for purposes of allowing a disabled person to enter or leave the vehicle.

b. To any disabled parking space that is subject to different provisions or requirements under City ordinance if the different provisions or requirements are clearly posted.

3. Violation of subsection 1. of this section is a parking violation as prohibited in Section 10.28.150. (Ord. 80-58 §3, 1980).

## **10.28.210      Removal And Impoundment Of Vehicle Unlawfully Parked In Space Reserved For Disabled Persons.**

A vehicle parked on private property in violation of Section 10.28.200 is subject to the provisions of Section 10.28.160. (Ord. 80-58 §4, 1980).■